

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 3
FOR THE REGULAR MEETING OF
MONDAY, SEPTEMBER 13, 2004 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-S407: Confirmation of Agreement with Orrick, Herrington and Sutcliffe for General Legal Services.

CITY ATTORNEY’S RECOMMENDATION:

Adopt the following resolution:

(R-2005-261)

Authorizing the City Manager to execute the Confirmation of Agreement with Orrick, Herrington & Sutcliffe, for General Legal Services, under the terms and conditions set forth in the Agreement;

Authorizing the expenditure of an amount not to exceed \$470,216.75 (\$31,549.46 from Fund 10253, Dept. 10253, Org. 2001, Acct. 4151; \$171,005.99 from Fund 102214, Dept. 102214, Org. 250, Acct. 4151; \$31,549.46 from Fund 102212, Dept. 102212, Org. 100, Acct. 4151; \$31,549.46 from Fund 100, Dept. 601, Org. 3300, Acct. 4151; \$ 31,549.46 from Fund 10330, Dept. 930, Org. 2200, Acct. 4151; \$31,549.46 from Fund 10226, Dept. 918, Acct. 4151; \$31,549.46 from Fund 102240, Dept. 1024, Org. 1854, Acct. 4151; \$94,542.75 from Fund 72016, Dept. 92016, Acct. 4151; \$15,371.25 from Fund 41500, Dept. 760, Org. 163, JO 4141, Acct. 001015), for the purpose of providing funds for the above referenced Project.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S407: (Continued)

SUPPORTING INFORMATION:

City previously retained the services of Orrick to render legal advice and assist the City with general legal services pertaining to disclosure issues for City bond financings. As directed by the City Attorney's Office, Orrick provided the City with the following general legal services related to such financings: (1) prepared voluntary disclosure for the General Fund; (2) prepared Rule 15c2-12 annual reports for the General Fund; (3) prepared voluntary disclosure for the Wastewater System of the City [Wastewater System]; (4) prepared a Rule 15c2-12 annual report for the Wastewater System; (5) prepared a Rule 15c2-12 annual report for the Water Utility System of the City; and (6) substituted amounts on deposit in the reserve fund established under the Indenture related to the Ballpark Project with debt service reserve credit facility. Payments for these services are usually funded through bond proceeds, however, the issuance of bonds related to the Firm's services has been delayed and it is appropriate to provide for alternative funding. Funds are available from various project accounts related to the Firm's services.

FISCAL IMPACT:

Expenditure of an amount not to exceed \$470,216.75 as follows: (\$31,549.46 from Fund 10253, Dept. 10253, Org. 2001, Acct. 4151; \$171,005.99 from Fund 102214, Dept. 102214, Org. 250, Acct. 4151; \$31,549.46 from Fund 102212, Dept. 102212, Org. 100, Acct. 4151; \$31,549.46 from Fund 100, Dept. 601, Org. 3300, Acct. 4151; \$ 31,549.46 from Fund 10330, Dept. 930, Org. 2200, Acct. 4151; \$31,549.46 from Fund 10226, Dept. 918, Acct. 4151; \$31,549.46 from Fund 102240, Dept. 1024, Org. 1854, Acct. 4151; \$94,542.75 from Fund 72016, Dept. 92016, Acct. 4151; \$15,371.25 from Fund 41500, Dept. 760, Org. 163, JO 4141, Acct. 001015).

Noone/KS

Aud. Cert. 2500245.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S408: Appointments and Reappointments to the San Diego Youth Commission.

(See memorandum from Mayor Murphy dated 9/2/2004, with resumes attached.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-252)

Council confirmation of the following appointments and reappointments by the Mayor of the City of San Diego, to serve as members of the San Diego Youth Commission, for terms ending July 1, 2006:

NOMINEES:

Mayor

Deserae Dunn (Reappointment)
Zachary Story (Reappointment)

Mayor (Alternate)

Danielle Santos (Appointment)

Council District 1

Mitchell Duffy (Appointment)
Ashley Grand (Reappointment)

Council District 1 (Alternate)

Jon Thompson (Appointment)

Council District 2

Kim Truong (Appointment)
Anarie Salvador (Appointment)

Council District 2 (Alternate)

Jeremiha Douglas (Appointment)

Council District 3

Alexandra Hill (Reappointment)
Anne Shiraishi (Reappointment)

Council District 3 (Alternate)

Mariano Diaz (Appointment)

Council District 4

Jaleisha Jackson (Appointment)
Michael Fisman (Appointment)

Council District 4 (Alternate)

Matthew Haulman (Appointment)

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S408: (Continued)

Council District 5

Boris Patlis (Reappointment)
Jill Hancock (Appointment)

Council District 5 (Alternate)

Ashley Brown (Appointment)

Council District 6

Julia Saba (Reappointment)
Michael Keating (Appointment)

Council District 7

David Daniels (Reappointment)
Kayleigh Neel (Appointment)

Council District 8

Adrian LeRay (Reappointment)
Valerie LeRay (Reappointment)

Council District 8 (Alternate)

Alex Guittard (Appointment)

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S409: Two actions related to Approving the Final Map of Black Mountain Ranch Unit No. 17 and Parcel Map W.O. No. 422389.

(Black Mountain Ranch Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2005-243)

Approving the Final Map of Black Mountain Ranch Unit No. 17.

Subitem-B: (R-2005-244)

Approving the Map of Parcel Map W. O. No. 422389.

CITY MANAGER SUPPORTING INFORMATION:

The Final Map of Black Mountain Ranch Unit No. 17 is a 14.815-acre map proposing 4 lots for residential development, 1 lot for a private driveway, 1 lot to be deeded to the City for open space purposes and 4 building restricted lots. The Parcel Map is a 2-parcel lot line adjustment map totaling 20.604 acres. These maps are located in the Black Mountain Ranch Community Plan Area, northeasterly of El Camino Real and San Dieguito Road in Council District 1.

Market conditions have changed since the original maps recorded, and the developer is making revisions to the maps to accommodate the changes. A Substantial Conformance Review has approved the maps, resulting in the need to vacate building restricted easements in their current locations. Revised building restricted easements are being granted on the maps.

The public improvements required for the Final Map of Black Mountain Ranch Unit No. 17 are shown on Engineering Drawing No. 32808-1-20-D, for which an agreement has been entered into and a bond posted in the amount of \$585,580 to assure the work. There are no public improvements required in connection with the lot line adjustment map. There are no park fees due in connection with either project.

Staff recommends approval.

FISCAL IMPACT:

None.

Loveland/Broughton/GRB